IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 1754 OF 2003

IN

S.C. SUIT NO. 1679 OF 1999

Shri Balkrishna R. Kavle .....**Plffs.**
vs.
Smithkline Beecham
Consumer Health Care .....**Defnds.**

Mr. V.D. Surve for the plaintiffs.

None for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 23rd September, 2005.

P.C. :.

1. The present motion is taken out for placing the suit for ex-parte decree on the ground of defending the suit under Rule 89 of the High Court (O.S.) Rules. However directions are not given as per the High court Rules for filing written

statement and inspection. However learned counsel for the plaintiff states that the plaintiff is an old person. In the aforesaid circumstances I direct the Prothonotary and Senior Master to place the matter for directions within one week from today and pass appropriate directions if the defendants are served and if inspite of directions written statement is not filed. The plaintiff will be at liberty to take out fresh proceedings for placing the matter on board in the category of undefended suit. Motion is disposed of in the aforesaid terms.

sd/-

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